IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLIATION NO.233 OF 1997

Sudhakar Soma Sarode ..Petitioner (Orig.Accd.)

V/s.

State of Maharashtra ..Respondent (Orig.Compl.)

None for the Petitioner.
Shri.U.V. Nikam PP for the State.

CORAM : V.M. KANADE, J.
DATED : 08/12/2006

P.C.:-

1. None appears for the petitioner. This criminal application is directed against the judgment and order passed by the Additional Sessions Judge, who has confirmed the conviction U/s.353 of IPC. Lower appellate court, giving benefit of provisions of Section 3 of the Probation of Offenders Act, had released him after due admonition.

2. I have perused the judgment and order of

the lower appellate court. In my view, there is no merit in the ground raised by the petitioner in this application. By virtue of Section 12 of the Probation of Offenders Act, no disqualification is attached to the conviction if accused is given benefit of provisions of Section 3 or Section 4 of the Probation of Offenders Act. Under these circumstances, there is no reason to interfere with the aforesaid order.

. Criminal revision application is accordingly dismissed.

V.M. KANADE J.